

Notice of Allowability

Application No.

09/960,197

Examiner

Houshang Safaipoor

Applicant(s)

KHOVAYLO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed on 11/08/2006.
2. ☒ The allowed claim(s) is/are 1-26, 30-39, 42-45 and 47-51.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/03 and 1/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JEROME GRANT
PRIMARY EXAMINER

Reasons for Allowance

Claims 27-29, 40, 41 and 46 are canceled.

Claims 1-26, 30-39, 42-45 and 47-51 are allowed.

This is examiner's statement of reasons for allowance.

Claims 1-26, 30-32 and 47-50 are allowed for the reason that the prior art does not teach in claimed combination a picture frame scanner comprising:

a frame defining a display area, the frame disposed generally upright; a transparent retention pane mounted within the frame, spanning the display area; a support back spanning the display area, the support back spaced apart from and adjacent to the retention pane; and an image scanning bar operatively mounted in the frame for moving across the display area and scanning an electronic image of an item into memory storage, the item being lighted and that is disposed between the support back and the retention pane.

Claims 33-39 and 51 are allowed for the reason that the prior art does not teach in claimed combination a method for displaying and scanning an item comprising:

retaining the item within the frame for display and scanning, moving an image scanning bar over the item wherein the bar is moved on a second side of the first transparent pane between the first transparent pane and a second transparent pane during scanning

Claims 42-45 are allowed for the reason that the prior art does not teach in claimed combination a system for displaying and scanning an item comprising:

means for supporting and seating, generally upright, an item to be scanned and displayed such that a lower edge of the item rests upon the means for supporting; means for moving an image scanning bar over said item; means for scanning said item into memory storage; and

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a transparent pane over which the item lies during scanning and means for selectively electronically displaying images through the pane when an item is not overlying the pane.

The features identified, in combination with other claim limitations, are neither suggested nor discussed by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

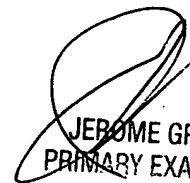
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Houshang Safaipoor
Patent Examiner
January 19, 2007



JEROME GRANT
PRIMARY EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of issue fee.

Authorization to amend claim 42 and cancel claim 46 was given in telephone interview with Todd A. Rathe (Reg. No. 38,276) on January 17, 2007.

2. The following listing of claims will replace all prior versions and listings:

1. (Previously Presented) A picture frame scanner comprising:

a frame defining a display area, said frame disposed generally upright;

a transparent retention pane mounted within said frame, spanning said display area;

a support back spanning said display area, said support back spaced apart from and adjacent to said retention pane; and

an image scanning bar operatively mounted in said frame for moving across said display area and scanning an electronic image of an item into memory storage, said item being lighted and that is disposed between said support back and said retention pane.

2. (Original) The picture frame scanner of claim 1 wherein said memory storage is located within said picture frame scanner.

3. (Original) The picture frame scanner of claim 1 wherein said memory storage is located on an external computer.

4. (Original) The picture frame scanner of claim 1 wherein said scanner is selectively deployable in landscape and portrait orientations.

5. (Original) The picture frame scanner of claim 4 wherein said scanner scans when deployed in either of said landscape and portrait orientations.

6. (Original) The picture frame scanner of claim 4 further comprising a stand extending rearwardly from a lower corner of said frame, said stand selectively maintaining said scanner in said landscape and portrait orientations.

7. (Original) The picture frame scanner of claim 1 further comprising a rotation selection control for rotating said electronic image.

8. (Original) The picture frame scanner of claim 7 wherein said rotation control is a user operative control mounted on said scanner.

9. (Original) The picture frame scanner of claim 7 wherein said rotation control is a user operative wireless remote control.

10. (Original) The picture frame scanner of claim 7 wherein said rotation control is a sensor disposed in said frame for operatively sensing an orientation of said frame and rotating said electronic image to have an orientation for viewing.

11. (Original) The picture frame scanner of claim 1 wherein said frame is disposed at a slight angle, and said support back is disposed at an acute angle relative to a supporting surface on which said scanner rests.

12. (Original) The picture frame scanner of claim 11 wherein said slight angle is in the range of 10 to 20 degrees and said acute angle is in the range of 80 to 70 degrees.

13. (Original) The picture frame scanner of claim 1 wherein said frame, said support back and said retention pane define an item receptive slot for selective user insertion into and removal of said item from said frame between said support back and said retention pane.

14. (Original) The picture frame scanner of claim 1 wherein said image scanning bar extends across said display area and comprises a light for lighting said item during scanning and a mechanism to move said bar across said display area to scan said item.

15. (Original) The picture frame scanner of claim 1 further comprising a display glass mounted within said frame, spanning said display area, spaced apart from said retention pane.

16. (Original) The picture frame scanner of claim 15 wherein said image scanning bar is operatively mounted between said retention pane and said display glass.

17. (Original) The picture frame scanner of claim 15 wherein said display glass is treated to at least in part keep out ambient light during said scanning.

18. (Original) The picture frame scanner of claim 17 wherein said display glass pane is polarized.

19. (Original) The picture frame scanner of claim 15 wherein said display glass comprises electronically opaquing glass activated by initiation of said scanning.

20. (Original) The picture frame scanner of claim 1 wherein said support back comprises an electronic display panel for displaying electronic images through said retention pane when an item is not disposed between said support back and said retention pane.

21. (Original) The picture frame scanner of claim 20 wherein said images are images scanned by said scanner and stored in memory disposed in said scanner.

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22. (Original) The picture frame scanner of claim 20 wherein said images are stored on a computer connected to said picture frame scanner.

23. (Original) The picture frame scanner of claim 1 further comprising controls mounted on said frame.

24. (Original) The picture frame scanner of claim 23 wherein said controls are mounted on a front surface of said frame.

25. (Original) The picture frame scanner of claim 23 wherein said controls are mounted on a rear surface of said frame.

26. (Original) The picture frame scanner of claim 23 wherein said controls comprise at least one of a group consisting of: a power button; a standby button; a scan initiation button; an image rotation button a scan to computer button; and a scan to email attachment button.

27. (Canceled)

28. (Canceled)

29. (Canceled)

30. (Original) The picture frame scanner of claim 1 wherein said frame comprises a hinged access portion operatively opening to receive said item to be scanned operatively closing for scanning of said item.

31. (Original) The picture frame scanner of claim 1 wherein said frame is adapted to selectively receive snap fit covers.

32. (Original) The picture frame scanner of claim 1 further comprising a document cover hinged to said frame, operative to cover said display area during scanning.

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33. (Previously Presented) A method for displaying and scanning an item, said method comprising the steps of:

supporting said item to be scanned, generally upright in a frame on a first side of a first transparent pane;

retaining said item within said frame for display and scanning;

moving an image scanning bar over said item, wherein the bar is moved on a second side of the first transparent pane between the first transparent pane and a second transparent pane during scanning; and

scanning an electronic image of said item into memory storage.

34. (Original) The method of claim 33 wherein said scanning step further comprises the step of selectively initiating said scanning.

35. (Original) The method of claim 33 wherein said scanning step further comprises the step of storing said electronic image in remote memory storage.

36. (Original) The method of claim 33 wherein said supporting step further comprises the step of disposing said item at a slight angle relative to vertical.

37. (Previously Presented) The method of claim 33 wherein said scanning step further comprises the steps of: lighting said item; and moving an image scanning bar over said item.

38. (Previously Presented) The method of claim 33 further comprising the step of displaying an electronic image when an item is not disposed in said frame.

39. (Original) The method of claim 33 further comprising the step of: disposing said item to be scanned in said frame facing outward.

40. (Canceled)

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41. (Canceled)

42. (Currently Amended) A system for displaying and scanning an item, said system comprising:

means for supporting and seating, generally upright, an item to be scanned and displayed such that a lower edge of the item rests upon the means for supporting;

means for moving an image scanning bar over said item;

means for scanning said item into memory storage; and

a transparent pane over which the item lies during scanning and means for selectively electronically displaying images through the pane when an item is not overlying the pane.

43. (Original) The system of claim 42 further comprising means for selectively initiating scanning of said item by said scanning means.

44. (Original) The system of claim 42 wherein said memory storage is located external to said system

45. (Original) The system of claim 42 wherein said supporting means disposes said item at an acute angle, relative to vertical

46. (Canceled)

47. (Previously Presented) The picture frame scanner of claim 1 further comprising a seat configured to engage a lower edge of the item to support the item opposite the display area during scanning while in a generally upright position

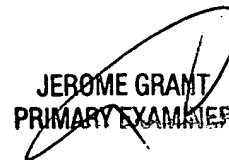
48. (Previously Presented) The picture frame scanner of claim 15, wherein the scanning bar is configured to emit light in a direction towards the support back and wherein the display glass is on an opposite side of the scanning bar as the support back.

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49. (Previously Presented) The picture frame scanner of claim 15, wherein the scanning bar is configured to move between the display glass and the retention pane while moving across the display area.

50. (Previously Presented) The picture frame scanner of claim 32, wherein the document cover is opaque.

51. (Previously Presented) The method of claim 33 further comprising the item, generally upright such that a lower edge of the item rests upon a seat.

A handwritten signature in black ink, appearing to be "H. Grant", located on the left side of the page.A handwritten signature in black ink, appearing to be "Jerome Grant", written over a rectangular stamp. The stamp contains the text "JEROME GRANT" and "PRIMARY EXAMINER" in a bold, sans-serif font.